

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re VEECO INSTRUMENTS, INC., : 05-MD-1695 (CM)
SECURITIES LITIGATION :
X

THIS DOCUMENT RELATES TO: :
X

AUGUST SCHUPP, III, derivatively on behalf of : 05-CV-10225 (CM)
VEECO INSTRUMENTS, INC., :
: Plaintiff(s), :
: :
v. :
: EDWARD H. BRAUN, et al., :
: Defendant(s), :
: :
X

DAVID ALTMAN, derivatively on behalf of : 05-CV-10226 (CM)
VEECO INSTRUMENTS, INC., :
: Plaintiff(s), :
: :
v. :
: EDWARD H. BRAUN, et al., :
: Defendant(s) :
X

I, Robert I. Harwood, declare under penalty of perjury, as follows:

1. I am a partner of the law firm Wechsler Harwood LLP, counsel to Plaintiffs in this action.
2. Attached hereto as Exhibit A is a true and correct copy of Plaintiffs' Consolidated Amended Verified Shareholder Derivative Complaint filed on September 26, 2005.
3. Attached hereto as Exhibit B is a true and correct copy of Plaintiffs' (Proposed) Second Consolidated Amended Verified Shareholder Derivative Complaint.

Dated: November 7, 2006

s/ Robert I. Harwood
Robert I. Harwood